

**ASSEMBLY BILL**

**No. 1992**

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**Introduced by Assembly Member Quirk**

February 20, 2014

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An act to amend Section 25741 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1992, as introduced, Quirk. Energy: renewable energy resources.

Existing law establishes the renewable energy resources program to increase the amount of electricity generated from eligible renewable energy resources. Existing law defines various terms for the purposes of the program.

This bill would make a nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 25741 of the Public Resources Code is  
2     amended to read:  
3     25741. As used in this chapter, the following terms have the  
4     following meaning:  
5     (a) "Renewable electrical generation facility" means a facility  
6     that meets all of the following criteria:  
7     (1) The facility uses biomass, solar thermal, photovoltaic, wind,  
8     geothermal, fuel cells using renewable fuels, small hydroelectric  
9     generation of 30 megawatts or less, digester gas, municipal solid  
10    waste conversion, landfill gas, ocean wave, ocean thermal, or tidal

1 current, and any additions or enhancements to the facility using  
2 that technology.

3 (2) The facility satisfies one of the following requirements:

4 (A) The facility is located in the state or near the border of the  
5 state with the first point of connection to the transmission network  
6 of a balancing authority area primarily located within the state.  
7 For purposes of this subparagraph, “balancing authority area” has  
8 the same meaning as defined in Section 399.12 of the Public  
9 Utilities Code.

10 (B) The facility has its first point of interconnection to the  
11 transmission network outside the state, within the Western  
12 Electricity Coordinating Council (WECC) service area, and  
13 satisfies all of the following requirements:

14 (i) It commences initial commercial operation after January 1,  
15 2005.

16 (ii) It will not cause or contribute to any violation of a California  
17 environmental quality standard or requirement.

18 (iii) It participates in the accounting system to verify compliance  
19 with the renewables portfolio standard once established by the  
20 commission pursuant to subdivision (b) of Section 399.25 of the  
21 Public Utilities Code.

22 (C) The facility meets the requirements of clauses (ii) and (iii)  
23 in subparagraph (B), but does not meet the requirements of clause  
24 (i) of subparagraph (B) because it commenced initial operation  
25 prior to January 1, 2005, if the facility satisfies either of the  
26 following requirements:

27 (i) The electricity is from incremental generation resulting from  
28 expansion or repowering of the facility.

29 (ii) Electricity generated by the facility was procured by a retail  
30 seller or local publicly owned electric utility as of January 1, 2010.

31 (3) If the facility is outside the United States, it is developed  
32 and operated in a manner that is as protective of the environment  
33 as a similar facility located in the state.

34 (4) If eligibility of the facility is based on the use of landfill gas,  
35 digester gas, or another renewable fuel delivered to the facility  
36 through a common carrier pipeline, the transaction for the  
37 procurement of that fuel, including the source of the fuel and  
38 delivery method, satisfies the requirements of Section 399.12.6 of  
39 the Public Utilities Code and is verified pursuant to the accounting  
40 system established by the commission pursuant to 399.25 of the

1 Public Utilities Code, or a comparable system, as determined by  
2 the commission.

3 (b) “Municipal solid waste conversion,” as used in subdivision  
4 (a), means a technology that uses a noncombustion thermal process  
5 to convert solid waste to a clean-burning fuel for the purpose of  
6 generating electricity, and that meets all of the following criteria:

7 (1) The technology does not use air or oxygen in the conversion  
8 process, except ambient air to maintain temperature control.

9 (2) The technology produces no discharges of air contaminants  
10 or emissions, including greenhouse gases as defined in Section  
11 38505 of the Health and Safety Code.

12 (3) The technology produces no discharges to surface or  
13 groundwaters of the state.

14 (4) The technology produces no hazardous wastes.

15 (5) To the maximum extent feasible, the technology removes  
16 all recyclable materials and marketable green waste compostable  
17 materials from the solid waste stream prior to the conversion  
18 process and the owner or operator of the facility certifies that those  
19 materials will be recycled or composted.

20 (6) The facility at which the technology is used is in compliance  
21 with all applicable laws, regulations, and ordinances.

22 (7) The technology meets any other conditions established by  
23 the commission.

24 (8) The facility certifies that any local agency sending solid  
25 waste to the facility diverted at least 30 percent of all solid waste  
26 it collects through solid waste reduction, recycling, and  
27 composting. For purposes of this paragraph, “local agency” means  
28 any city, county, or special district, or subdivision thereof, ~~which~~  
29 *that* is authorized to provide solid waste handling services.

30 (c) “Renewable energy public goods charge” means that portion  
31 of the nonbypassable system benefits charge required to be  
32 collected to fund renewable energy pursuant to the Reliable Electric  
33 Service Investments Act (Article 15 (commencing with Section  
34 399) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities  
35 Code).

36 (d) “Report” means the report entitled “Investing in Renewable  
37 Electricity Generation in California” (June 2001, Publication  
38 Number P500-00-022) submitted to the Governor and the  
39 Legislature by the commission.

- 1 (e) “Retail seller” means a “retail seller” as defined in Section
- 2 399.12 of the Public Utilities Code.

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